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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,897	08/01/2003	Masahiko Nakayama	W1878.0190/P0190	9802
7590	09/08/2006			EXAMINER NGO, CHUONG D
Steven I. Weisburd DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP 41st Floor 1177 Avenue of the Americas New York, NY 10036-2714			ART UNIT 2193	PAPER NUMBER

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b> <b>After the Filing of an Appeal Brief</b>	Application No.	Applicant(s)
	10/631,897	NAKAYAMA, MASAHIKO
	Examiner  Chuong D. Ngo	Art Unit  2193

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The reply filed 15 June 2006 is acknowledged.

1.  The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:
  - a.  The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).
  - b.  The affidavit or other evidence is not timely filed before the filing of an appeal brief. See 37 CFR 41.33(d)(2).
2.  The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3.  The reply is entered. An explanation of the status of the claims after entry is below or attached.
4.  Other: The proposal amendment may not bring the application in a condition for allowance in view of US patent No. 5,402,369.



CHUONG DINH NGO  
PRIMARY EXAMINER